

Requiring TDCJ to notify released offenders of the right to vote

HB 770 by Dutton (Lucio)

DIGEST: HB 770 would have required the Texas Department of Criminal Justice to provide written notice to offenders who were released from its custody or supervision that they may be eligible to vote if they were no longer subject to the conditions prohibiting felons from voting in current law. TDCJ also would be required to give the offender an official voter registration application.

**GOVERNOR'S
REASON FOR
VETO:**

“House Bill No. 770 requires the Texas Department of Criminal Justice (TDCJ) give written notice to each convicted felon released from prison, or whose parole or probation ends, that they are eligible to vote, and requires the Texas Department of Criminal Justice to provide former inmates with a voter registration form. This legislation is objectionable for several reasons. First, registering former inmates to vote is not within the mission of TDCJ. Their role is to incarcerate and rehabilitate offenders, and we should not divert resources away from this difficult task by mandating that TDCJ register inmates that are leaving the system or track down each convict when their parole or probation is over to encourage them to vote. In the 78th regular session, I vetoed a similar piece of legislation, House Bill No. 1517, that was less onerous than this – it required that the state post notice to released felons of their right to vote. Second, the state does not currently provide this service to law-abiding citizens, such as high school graduates who are new to voting. I find it unseemly that the state would make a greater effort to register former inmates to vote than we would any other group of citizens in this state. Third, when an individual is released from prison and their rights are restored, it is imperative that they take personal responsibility for all aspects of their life, including their right to vote. Lastly, nothing in current law precludes any political party or organization from organizing a voter registration drive among released convicts. In fact, a large amount of resources is dedicated each election cycle to registering Texans not currently on the voter rolls. But government should not make it a greater priority to register to vote those who broke our laws than those who have abided by them.”

RESPONSE: Rep. Harold Dutton, the bill’s author, said, “I am not sure I understand the governor’s reason for the veto. What is wrong with putting this requirement into statute since TDCJ already is largely doing what the bill required? The bill would be one way to let persons know about current law, which allows some felons who have fully discharged their sentences to be allowed to vote, and would have had no fiscal impact on the agency.”

Sen. Eddie Lucio, the Senate sponsor, had no comment on the veto.

NOTES: HB 770 was analyzed in Part One of the April 11 *Daily Floor Report*.